

Application No: 2007/665

Application Type: Full Application

Proposal: Demolition of existing bus shelter building and erection of a neighbourhood food retail unit with associated car parking

Location: Bus Depot, 35 Bacup Road, Rawtenstall

Report of: Development Control Manager

Status: For Publication

Report to: Development Control Committee

Date: 11th March 2008

Applicant: Lidl UK

Determination Expiry Date: 20 February 2008

Agent:

REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation X

Member Call-In

Name of Member:
Reason for Call-In:

More than 3 objections received

Other (please state)

APPLICATION DETAILS

1. The Site

1.1 This application relates to the site which is currently used as a bus depot by Rossendale Transport and is located adjacent to the Rawtenstall Bus Interchange which borders the site to the north. Whilst access and egress to the bus interchange is taken from Bacup Road, the current bus depot is accessed from Markross Street to the east and from adjacent to the Heritage Arcade to the west.

1.2 The site extends to 0.5 hectares and is relatively flat. The site is bounded by the existing bus shelter and Employment Exchange to the north along Bacup Road; Markross Street to the east adjacent to the gable elevations of existing terrace dwellings along Peter Street and Cape Street; the River Irwell and Bolcholt Way to the south; and to the west the servicing area to the Focus DIY store and the Heritage Arcade building.

- 1.3 The site lies adjacent to the Rawtenstall Conservation Area which includes the Heritage Arcade to the West and the Town Hall building to the north of Bacup Road.

2. Relevant Planning History

- 2.1 There is no relevant planning history with regard to retail provision on this site. However, members will recall that planning permission has been granted to change the use of the Heritage Arcade to a restaurant (application reference 2005/617) and this committee has been 'minded to approve' the Valley Centre scheme which included the former Town Hall on Bacup Road (application reference 2007/217).
- 2.2 An application for a replacement bus garage has been received by the Local Planning Authority (LPA). Application no. 2008/0072 relates to Unit C Knowsley Park Way Haslingden and seeks a Change of use from Class B1 (Business) with ancillary offices to Bus Garage /Maintenance Workshop (Sui Generis) operating 24 hours with ancillary offices and associated works to service yard and erection of acoustic wall. The application has been registered and is currently out to consultation

3. The Current Proposal

- 3.1 The application proposes a Lidl foodstore of 1,308 sq m (gross external floor area) with associated car parking, access, servicing and landscaping arrangements. The proposed development would have a net sales area of 912.5 sq m. The proposal seeks to demolish the existing bus repair garage to accommodate the scheme. The existing bus stands on Bacup Road would be retained.
- 3.2 The proposed building would be sited to the south of the site adjacent to the River Irwell and would have the main entrance into the store facing north towards the associated car park and rear of the bus stands which are not part of this proposal and would be retained. The proposal would have a part two storey and part single storey appearance. The front of the building would be of a scale similar to a two storey building although the scheme would only have one floor level. The height to the eaves, adjacent to Markross Street, would be 6.8m and 9m to the ridge. The single storey element, again adjacent to Markross Street would be 5.6m stepping up to 6.8m below the eaves of the taller element. The pitched roof of the taller element would be visible above shallow slope of the single storey element.
- 3.3 The applicant has confirmed that the roof of the taller element would be natural slate and the walls would utilise the existing stone (to be recovered from the demolition of the garage building) for stone panels and pillars on the front with natural stone pillars and plinth detailing elsewhere. The amount of available stone from the existing building will be maximised in the construction of this proposal.
- 3.4 Access to the site for both customers and servicing would be via Markross Street. Servicing would be along side the building onto a loading bay which

would be internal to the building. No external servicing is proposed. The car park would be laid out to the front and side of the store (north and west) and will provide 70 no. car parking spaces with 4 motorcycle spaces, 7 disabled spaces and 4 parent and child spaces.

- 3.5 The existing landscaped strip to the south adjacent to the river would be retained. The landscaping details indicated that a footpath would be included into this area with seating. Additional trees are indicated within the car parking area.

4. Policy Context

The Development Plan within Rossendale comprises the Local Plan (adopted 12th April 1995), the Joint Lancashire Structure Plan 2001-2016 (adopted 31st March 2005) and Regional Planning Guidance (RPG) 13 (which became Regional Spatial Strategy (RSS) and part of the development plan from 28th September 2004).

4.1 National Planning Guidance

I consider that the following national guidance and statements are most relevant to this proposal and the detailed appraisal will refer to each as necessary below:

PPS1 - Sustainable Development
PPS6 - Town Centres
PPG13 - Transport
PPG15 - Historic Environment
PPS 23 – Planning and Pollution Control
PPG 24 – Noise
PPG25 - Flood Risk

4.2 Development Plan Policies

Adopted Regional Spatial Strategy

- 4.3 Regional Planning Guidance was adopted in March 2003 and following the commencement of the new Planning and Compulsory Purchase Act is now the Regional Spatial Strategy for the North West (RSS).

- 4.4 The key objectives of relevance to this proposal in RSS include:

- achieving greater economic competition and growth with associated social progression;
- to secure an urban renaissance in the cities and towns of the north west;
- to ensure active management of the Region's environmental and cultural assets;
- to secure a better image for the Region and high environmental and design quality; and
- to create an accessible Region with an efficient and fully integrated transport system

- 4.5 **Policy DP1** requires that development plans adopt the following sequential approach to meet development needs, taking into account local circumstances: the characteristics of particular land uses, and the spatial development framework; the effective use of existing buildings and infrastructure within urban areas particularly those which are accessible by public transport, walking or cycling; the use of previously developed land particularly that which is accessible by public transport walking or cycling; and thirdly development of previously undeveloped land that is well related to houses, jobs and so on and can be made accessible by public transport, walking or cycling.
- 4.6 **Policy EC8** states that development plans should recognise the continued need to protect, sustain and improve all the town and city centres in the region including the role of the Regional Poles (Liverpool and Manchester/Salford) as regional shopping centres, by encouraging new retail, leisure, and/or mixed use development within existing defined town and city centres boundaries. Moreover it requires that a sequential approach to such development be adopted in accordance with national planning policy and the core development principles. Where a need is established and where application of the sequential approach has indicated that no suitable town centre sites are available new or expanded developments in urban areas will be considered where their function forms the core of a mix of uses including housing and only then when public transport is accessible.

Draft Regional Spatial Strategy (RSS)

- 4.7 The panel report on the draft RSS is currently out and the changes proposed are expected shortly. The Draft RSS ('The North West Plan') was published for its first formal public consultation exercise in January 2006 and will cover the period from 2003 to 2021.
- 4.8 **Draft RSS** focuses on the needs of the region as a whole but highlights those areas that need more specific guidance or a different approach. This intended to improve the coordinated and delivery of regional policy and sustainable development
- 4.9 **Draft RSS** is a material consideration however it should not be afforded significant weight at this stage.

Joint Lancashire Structure Plan (Adopted 2005)

- 4.10 **Policy 1b** (General Policy) requires development to contribute to achieving high accessibility for all by walking, cycling and public transport.
- 4.11 **Policy 2** (Main Development Locations) states that most development should be located within identified principal urban areas, which include Rawtenstall.
- 4.12 **Policy 7** (Parking) sets out the type and amount of car parking and how it will be managed.

- 4.13 **Policy 10** identifies Rawtenstall as the location for a new or improved bus interchange.
- 4.14 **Policy 16** (Retail, Entertainment and Leisure Development) states, in part, that retail development should reflect the scale and function of the town centre in which it is to be located. It should also be located in accordance with the sequential approach and should satisfy certain other specified criteria.
- 4.15 **Policy 21** states *“Lancashire’s natural and manmade heritage will be protected from loss or damage according to the hierarchy of designations of international, national, regional, county and local importance.”*
- 4.16 **Policy 24** states that in developed flood risk area development will be limited to those that have appropriate flood alleviation measures.

Rossendale District Local Plan (Adopted 1995) (Saved Policies only)

- 4.17 **Policy DS.1** (Urban Boundary) states that *“the Council will seek to locate most new development within a defined boundary – the Urban Boundary – and will resist development beyond it unless it complies with policies DS3 and DS5. The urban boundary is indicated on the proposals map”*
- 4.18 **Policy DC.1** (Development Criteria) states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance.
- 4.19 **Policy DC.4** (Materials) Places an emphasis on local natural stone and Welsh blue slate to match the texture, general appearance and weathering characteristics of the surrounding area
- 4.20 **Policy HP.1** (Conservation Areas) Provides a number of criteria for which planning application within conservation areas will be assessed. Whilst the proposal is not located with any of the Boroughs Conservation Area’s the Rawtenstall conservation area bounds the site.

4.21 **Other Material Planning Considerations**

Lancashire CC - Planning Obligations

- 4.22 LCC and Rossendale Borough Council have approved a Planning Obligations Policy Paper which aims to provide a consistent approach to securing appropriate mitigation for development proposals. The implications of this proposal and the detail of the obligation paper is discussed later in this report.

Lancashire CC - Parking Standards

- 4.23 Further to policy 7 of the Structure Plan the parking standards SPG is relevant to guidance the appropriate provision of parking spaces, disabled parking provision and cycle storage.

RBC Rawtenstall Town Centre AAP

- 4.24 Rossendale Borough Council consulted on the Core Strategy Preferred Options Report and the Rawtenstall Area Action Plan (AAP) Revised Preferred Options Report in April and May of 2007. Following this consultation the Council has been asked by Government Office for the North West to undertake an additional round of consultation to describe the options that the Council had considered but not taken forward as Preferred Options in these documents.

- 4.25 The AAP preferred options for this site is discussed in more detail later in this report.

5. CONSULTATIONS

5.1 INTERNAL CONSULTATIONS

Conservation Officer – Has raised a number of design concerns but considers that the scheme does not lead him to strongly object to the proposal. His comments are included directly into this report.

Environmental Health – Have made the following comments:

- Information on the lighting scheme is required to ensure it doesn't cause nuisance to neighbours.
- Details of the time/s of the daily delivery is required to ensure it does not occur at unreasonable hours.
- Details and location of condensers/chiller units are required to ensure they do not cause noise nuisance to neighbours.

Forward Planning – No objection. Comments are included directly into this report in relation to the weight of the AAP and employment land supply.

Estates – No response

5.2 EXTERNAL CONSULTATIONS

Environment Agency – Objects to the proposal on flood risk grounds. However, the applicant has been liaising closely with the EA and it is considered likely that the EA will be in a position to withdraw this objection prior to committee. However, the report details the current position and situation will be updated in the late items report.

Lancashire Constabulary – No objection, *“Thank you for allowing me to look at the above application, once again may I ask that the developer agrees to build*

to Secure By Design, and also that a Section 106 is attached so that we can increase the camera's in the area.”

Lancashire County Council -

Highways – No objection. LCC Highways consider that the amendments to the scheme are sufficient to overcome their previous concerns regarding junction capacity, servicing and the impacts upon the bus interchange.

Strategic Planning – No objection and provides advice on a number of strategic areas including Retail policy, Built and Natural Heritage, Flood Risk, Accessibility and Public Rights of Way. The details of which are incorporated into the main body of the report below.

Planning Contributions – Advise that the provision of a proportion of land for the purposes of providing a new bus interchange and £70k towards access improvements to be sufficient to satisfy the requirements of the obligations paper in this instance.

United Utilities – No objection

Natural England – No objection confirming that there is no impact upon landscape quality. However, they advise that there may be bats within the existing building and that bats are protected species.

6. REPRESENTATIONS

6.1 A press advertisement was placed in the Rossendale Free Press on the 27/11/07; site notices were posted (12/11/07) and letters were sent to neighbours (05/12/07). A further letter to the Heritage Arcade was sent on the 08/01/07. Letters informing residents of amendments were sent 19/02/07. I have received 42 letters from local residents objecting to the proposal on the following grounds:

- Impact on vitality and liveability of our homes
- Decrease in the value of homes
- Lower rental yields
- Increased traffic due to shoppers, deliveries and therefore congestion
- Noise pollution
- Would make the streets unsafe for children to play on the street
- Visual impact and less space for recreation
- Attract jobs and anti social behaviour in the evenings
- Parking in residents areas already due to commuters using the X43
- Disruption to community especially BME group
- There has been no pre-application consultation
- Site is allocated in AAP for a mix of uses – this is not a mix of uses
- No reference is made in the application to monetary contributions [S106 contributions]

- The proposal is contrary to the AAP as it does not satisfy criteria on when retail should be provided in the outer core
- The proposal is not orientated towards the river
- The scheme does not seek to reduce the reliance on the motor car
- No attempt to integrate the scheme with Focus DIY
- Highway safety with HGV's using and reversing on Markcross Street as well as the main exit for shoppers using the site
- Standard design which is inappropriate in this area adjacent to a conservation area
- No landscaping scheme has been submitted
- No conservation area assessment has been submitted
- Inappropriate materials
- No information is provided as to where the bus station would be relocated and the impacts of such a relocation
- A development brief should be prepared
- The sale of the site needs to be investigated
- Questions why information on meetings regarding the sale have not been made public

6.2 A further 24 letters of objection from Market Traders on Rawtenstall market have also been received. The following issues have been raised:

- Rawtenstall already has 2 Tescos and 1 Asda
- Will impact negatively on the market
- This is a small market town which cannot support any more retail development
- Already a number of vacant shops
- Traffic flow already at full capacity

6.3 In total 66 letters of objection have been received in total in response to the public consultation exercise. It can be observed that the revisions to the scheme have not overcome the grounds raised by residents above as the amendments relate to the external appearance of the proposal. Loss of commercial is not a material planning consideration.

7. REPORT

The main issues in the determination of the application are: whether the principle of the redevelopment of the site is acceptable; whether the principle of the proposed use is acceptable; whether the proposed design and access is acceptable; whether the impacts of the proposed development in relation to trees and public realm are acceptable; whether the impacts of the proposed development on the historic environment would be acceptable; whether the proposal would safeguard residential amenity; whether the highway implications of the proposed development are acceptable; and whether the proposed development would accord with the Council's planning obligations paper and emerging AAP for Rawtenstall Town Centre. These issues will be discussed in turn below.

7.1 Principle

- 7.1.1 This site has been previously developed and is therefore considered brownfield land. In considering the principle of retail development it is important to consider the position of the site to the town centre. The site is within the town centre boundary as defined within the Local Plan. However, it is clear that the Local Plan is a dated document and pre dates the advice in PPS6.
- 7.1.2 Of critical importance to the determination of this application, in retail terms, is whether the application site is located within the Primary Shopping Area as defined by PPS6. In PPS6 terms it is not necessary to demonstrate need for a development within the primary shopping area. The AAP defines the site as lying within the Primary Shopping Area albeit the Outer Core Area within which a mix of uses, including retail, are considered appropriate. The AAP states that sites within the outer core area will be required to demonstrate that need exists, that there are no more sequentially preferable sites and that the proposal does not give rise to an adverse impact on the vitality and viability of the town centre. As such, the emerging AAP appears to treat the outer core areas as “*edge of centre*”, in PPS6 terms requiring a full Retail Impact Assessment (RIA) to be provided.
- 7.1.3 Therefore, the following sections of this report consider the AAP and weight which should be afforded to this emerging policy and then assessment of retail provision on this site. The remainder of this report then considers the detail aspects of the proposal against the remaining provisions of the development plan.

7.2 Area Action Plan

- 7.2.1 In May 2006 a revised Preferred Options Report was published for consultation; since that time, and following the advice of Government Officer North West, the progress of the AAP has been delayed to facilitate the progress of the Core Strategy. As such, **only limited weight can be afforded to the AAP at this time**. However, the following paragraphs draw out the main aspirations of the AAP for this site.
- 7.2.2 The AAP identifies this site as the Bus Depot, describing it as a Major Development Project within Rawtenstall. Chapter 6 in paragraph 10 of the AAP discusses the site in more detail. The key points are:
- Demolition of the bus depot to facilitate the transport interchange
 - Re-development for **retail**, residential, leisure or mixed use development
 - New development should be orientated towards the River Irwell
 - The design must deter pedestrian activity within the bus circulation area of the interchange.
 - Creation of a waterfront pedestrian route – providing a connection between the current Focus store, through Ilex Mill and the redeveloped Tomlinson’s Works and east along the river.
 - Bus parking is not to be considered an appropriate permanent use of this prominent site.

- 7.2.3 As a result it is considered that the scheme submitted would accord with the criteria of the AAP, given that it is a retail use and provides for a future footpath pedestrian link adjacent to the River Irwell.
- 7.2.4 Furthermore, part of this site is identified in the AAP for a Transport Interchange, also a Major Development Project, discussed in Paragraph 9 of chapter 6. This envisages bus waiting facilities, possibly incorporating a café and small scale retail facilities, together with passenger and visitor information kiosks. The interchange would provide accommodation for the X43 and Rossendale Transport services and improved pedestrian crossing facilities on Bacup Rd should also be considered.
- 7.2.5 It is clear that this application does not provide for a transport interchange. During the preparation of this AAP to revised Preferred Options stage a key concern has been the location of these improved transport facilities, and alternative sites have been considered and consulted upon. However, the revised Preferred Options Report reiterates that the Bacup Rd location is preferred given the principal transport corridors and the desire to have a centrally located facility which provides optimum access to the town centre. However, it is acknowledged that the Bus Depot and maintenance facilities could be relocated outside of the town centre.
- 7.2.6 Whilst it is considered that the application is not contrary to the emerging Area Action Plan for Rawtenstall town centre, it is important to ensure that the delivery of a bus interchange is not compromised by the development of a retail foodstore on the site of the bus depot. The applicant has indicated that he would be willing to enter into a legal agreement to safeguard land for the purposes of a bus interchange adjacent to the existing bus stands on Bacup Road. The heads of terms of the legal agreement is considered later in this report.
- 7.2.7 The design of the current proposal is discussed later in this report including the aspirations of the emerging AAP in relation to this site. However, it is considered that the principle of the proposed development and measures secured by way of a legal agreement would accord with the aspirations of the AAP even though the it has little weight at this time.

7.3 Retail Provision

- 7.3.1 The Council have secured retail advice from Nathaniel Litchfield and Partners (NLP) on this application. NLP also prepared a Retail and Town Centre Study in 2005 for the Borough. In that assessment this application site was identified as having potential for a large unit retail scheme located within the town centre.
- 7.3.2 Members will also note that NLP have also provide the Local Planning Authority (LPA) with advice on the application by Hurstwood's for Aldi at New Hall Hey which also appears on this agenda (application 2007/630).
- 7.3.3 Given that the AAP cannot be given more than 'little weight' at this stage it is appropriate that the application be considered against the definitions within

Planning Policy Statement 6: Town Centres; in relation to the boundaries of the Primary Shopping Area.

7.3.4 NLP advise that in terms of PPS6, there are a number of tests that need to be applied, particularly to retail proposals in edge or out of centre locations. The following extracts from PPS6 are of relevance to these proposals:

- It is not necessary to demonstrate the need for retail proposals within the Primary Shopping Area or for other main town centre uses located within the town centre (para. 3.8);
- The sequential approach to site selection should be applied to all development proposals for sites that are not in an existing centre (para. 3.13);
- Impact Assessments should be undertaken for any application for a main town centre use which would be in an edge of centre or out of centre location (para. 3.20).

7.3.5 It is clear that the application site is well connected to the shopping core to the north. In particular, retail on this site would link in well with current proposals for the redevelopment of the Valley Centre. At present, this part of Bacup Road is a secondary shopping frontage and in this respect NLP advise that PPS6 defines the Primary Shopping Area as the *“defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are contiguous and closely related to the Primary Shopping Frontage)”*.

7.3.6 In view of the above, Council Officers have informed NLP that at this stage only limited weight can be given to the emerging AAP that identifies the site as within the *“outer core area”*. Officers therefore consider that on the basis of advice within PPS6 and given the site’s location on a secondary shopping frontage, but close to the primary shopping frontage (e.g. the Valley Centre) the site should be treated as within the Primary Shopping Area for the purposes of retail assessment. It is on this basis that NLP have advised on the retail implications of this proposal.

7.3.7 Given the above, there is no requirement for the applicants to demonstrate need, apply the sequential approach or consider the likely impact upon the vitality and viability of the town centre.

7.3.8 NLP have advised; *“Despite this, you will note, following our advice on the New Hall Hey Aldi application that in terms of quantitative need, and based on our 2005 Retail Study, there is no capacity for additional convenience floorspace within the study area in the short/medium term. Despite this, we also confirmed in our previous advice to you that we accept that the study area lacks a discount retailer. This issue is dealt with at para. 13.24 of the NLP Retail Study 2005 which states:*

“Projections up to 2011 suggest that there is limited scope to improve existing food store provision, although if the opportunity arises to

locate a discounter, for instance, within one of the centres eg. Bacup, then this opportunity is likely to be acceptable in retail terms to improve the qualitative offer”.

7.3.9 *As such, the opening of a discount food store such as Lidl (or potentially Aldi) within the study area would provide a qualitative improvement in the convenience goods offer”.*

7.3.10 NLP advise that the proposals accord with relevant retail policy at both a national and development plan level.

7.3.11 Moreover Lancashire Council strategic planning officers considers; *“Rawtenstall is defined as a Tier 2 Centre in Policy 16 of the JLSP Development. Paragraph 6.3.47 indicates that development of a District wide catchment is appropriate in such locations. I am satisfied that the current proposal is of an acceptable scale to a Tier 2 centre.”*

7.3.12 *“JLSP Policy 16 states that retail development should be located in accordance with the sequential approach. The site is defined as within the “outer core” of the Primary Shopping Area defined in the Rawtenstall Town Centre Area Action Plan Preferred Options document. It is also within the defined Town Centre of the Rossendale Local Plan of 1995. No sequentially more suitable sites are available in the town centre”*

In conclusion

7.3.13 Given that the AAP has insufficient weight at this stage I am satisfied that the proposal does not have to provide a retail impact assessment to demonstrate need, impact and sequential preference and that the principle of the proposed use accords with the advice contained within PPS6 and policy 16 of the aJLSP.

7.4 Design Implications

7.4.1 Paragraph 38 of PPS1 states that ‘Design policies should avoid unnecessary prescription or detail... [neither should they]...stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies.’

7.4.2 Paragraph 16 of PPS3 states that ‘Matters to consider when assessing design quality include the extent to which the proposed development:... Is well integrated with, and complements, the neighbouring building and local area more generally...[and]...Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity’.

7.4.3 Given that the site bounds the Rawtenstall Town Centre Conservation Area the Councils Conservation Officer has provided comments on the merits of the scheme. He considers that:

- *“The site is in the town centre and should ideally carry a strong town centre use of a scale and design that can contribute to the area's townscape. It stands outside but on the boundary of the Rawtenstall Conservation Area and will impact on the area's setting.*
- *The site is important to the views into the town centre from, beyond, and along the dual carriageway in a number of directions.*
- *There are opportunities to produce a positive design based on the riverside setting.*
- *The site does not currently provide a good elevation to the dual carriageway. It also is not a strong and positive element on Bacup Road. The large stone wall to the bus station has some limited merit but its solid mass is not a good town centre feature and the long covered bus shelter gives a uncared for and negative impression. Overall, it does not give the impression of a user friendly environment. The whole of the site should be considered for redevelopment without the retention of the shelter.*
- *The terraced housing on the other side of Markcross Street currently has a poor environment due in part to the scale of the bus station building.”*

7.4.4 However, it is accepted that the redevelopment of the site would benefit the wider area and accord with the broad principles of the emerging AAP for redevelopment. The original scheme submitted appeared to be a standard Lidl store being broadly single storey and visually very horizontal in character and, initially, using low quality materials. A range of comments have been made by officers covering both the proposed building and the site layout. There have been two sets of revisions to the scheme, initially adding height to that part of the building facing Bacup Road, and latterly by proposing re-designed full natural stone elevations (utilising the stone from the existing bus garage building) and an artificial slate roof, and adjustments to the site layout. These amendments have moved towards the improvements requested.

Bacup Road Elevation

7.4.5 This elevation would include a pitched roof element with the ridge of the main element running from east to west. The entrance element would be located furthest from Markcross Road and would also have a pitched roof with the ridge running from north to south (front to back). This element would be of two storey in appearance and would be 9m to the ridge and 6.8m to the eaves. A canopy over the entrance element is continued along part of the main elevation which provides a horizontal emphasis. However, the stone pillars at regular intervals provide a strong vertical emphasis, which strengthens the perception of height. The elevation includes window detailing and zinc over the entrance and fascias, gutters and downpipes to provide contrast to the natural stone.

7.4.6 The Councils Conservation Officer considers that the Bacup Road elevation, through its height and the improved design, will provide a satisfactory backdrop to the Conservation Area and the views from the vicinity of Bacup Road. The

additional landscaping and the riverside walkway on the Bocholt Way side of the development should improve views from the dual carriageway. If this scheme is combined with the provision of a new bus station on the site of the current shelter, the development overall could be a benefit to the character and appearance of the town.

Riverside Elevation

- 7.4.7 This elevation is the rear elevation of the store. It would provide the warehouse and servicing arrangements within the building. The single storey element would project 17.2m from the two storey element. The applicant has increased the height of this element at its lowest point to 5m which is comparable to the eaves height of traditional residential accommodation. The design of the rear of the building carries through the vertical emphasis of the front elevation through the use of stone pillars and high level window detailing.
- 7.4.8 In seeking amendments to the scheme the scale of the proposed building has been at the forefront of design improvements. The aspirations of the AAP seek to ensure that the development of this site will provide for a development which responds to the River Irwell and incorporate a riverside walkway. The Councils Conservation Officer considers that *“The single storey part of the building facing Bocholt Way, with a low sloping roof, will not provide an impressive elevation. However, the design of the building's facade has been improved during the process of the application, and it is possible that the landscaping will screen the lower elevation, revealing the rear of the higher front building, and its artificial slate roof, above the trees.”*
- 7.4.9 The applicant has provided perspectives of the proposal from Bolcholt Way. I consider that amendments to the front of the store facing Bacup Road and which provide a comparable scale of building to the neighbouring buildings would still be the dominate feature of the proposal from Bolcholt Way. However, I do agree that the existing landscaping and proposed improvements alongside the rivers edge to be important. A condition has been attached to cover this point.

Side elevations

- 7.4.10 The elevation that would face Markross Street would include a boundary wall around the service yard and blank two storey gable wall. The gable of the two storey element would be similar in scale and appearance to the gables of the residential properties on the opposite side of Markross Street. It is not considered that either of the side elevation would be prominent from the wider area. In fact, the west elevation would be adjacent to the service yard of Focus DIY.
- 7.4.11 The Councils Conservation Officer considers that *“The two side elevations are something of a jumble due to the odd relationship between the higher and lower parts of the building. In part due to this arrangement, the west elevation is a poor mix of materials and has an odd relationship between wall and window.”*

7.4.12 However, given the position of the proposal and the neighbouring buildings I am mindful of the key views of the site and where the side elevations would be most visible from. I am also mindful of the practicalities of the internal layout of a retail store that influence the design and positioning of elements of the design. Nevertheless, the building has increased in height and despite the Council Conservation Officer's concerns, I do not consider that the design of the side elevation to warrant the refusal of the scheme in this instance.

Conclusion on Design

7.4.13 The concerns raised to elements of the scheme by the Councils Conservation Officer do not lead him to strongly object to the application nor does he consider that the proposals would in anyway damage the setting of the Conservation Area. The site is outside of the Conservation Area. He is also mindful that his comments will need to be balanced against all other material planning considerations.

7.4.14 Whilst the rear elevation does not include a full two storey (in appearance) elevation, I consider that the increase in height of this element, the scale of the remainder of the building and the boundary treatment along the rivers edge to overcome the concerns raised.

7.4.15 On balance, I consider that the scheme would result in a significant improvement to the townscape through the development of this key site within the town centre. I am also satisfied that the scale and massing proposed would not detract from the character of the neighbouring conservation area. Therefore, subject to a condition requiring samples of materials to be provided and landscape details, I am satisfied that the design of the proposal is appropriate in this instance.

7.5 Trees and Landscaping

7.5.1 There is an existing landscaped area to the south of the site along the boundary with the River Irwell. Within this landscaped area there are a number of trees. None of the trees have been afforded the protection of a tree preservation order (TPO). Moreover, the applicant has submitted a landscaping plan which indicates that this landscaped area, including the trees, will be retained.

7.5.2 In accordance with the emerging AAP the revised plans incorporate a footpath and seating area to the south of the proposed building adjacent to the river Irwell. At present the route would be fragmented and could not be used as a meaningful riverside walkway. However, given the weight of the AAP at this stage, I am satisfied that proposal incorporates a key aspiration of the AAP and would not fetter the potential to incorporate a riverside walkway along this stretch of the river in the future. Given the fragmented nature of this walkway at present, it should be noted that the use of the walkway is likely to be limited to the hours of operation of the store.

7.5.3 Given that the existing buildings occupy the majority of the site there are no other trees which may be effected by the proposal. The landscape proposals

indicate areas where shrub and groundcover planting would take place and that one extra heavy tree would be planted on the rivers edge and additional trees within the car parking area. The plan also indicates boundary treatment to include the retention of existing walls and the erection of paladin fencing. However, the submission does not include any details on the suggested boundary treatments. Clearly, given the relationship of the site to the neighbouring conservation area any boundary treatment would require careful consideration as to its appropriateness. I do not consider paladin fencing to be appropriate. Therefore, without this information, should members be minded to approve the scheme I would advise that a condition is attached which would secure an appropriate boundary treatment in the context of a comprehensive landscaping proposal.

- 7.5.4 Notwithstanding the information shown on this proposed landscaping plan, I consider that appropriate additional tree planting would be necessary to soften the impact of the proposed building and car parking area. Therefore, should members be minded to approve the scheme I would advise that a condition is attached which would secure an appropriate landscaping scheme which includes additional tree planting within the car park as indicated on the revised layout plan.

7.6 Highway Implications

- 7.6.1 Vehicular access to the site for both customers and servicing would be via Markcross Street. Servicing would be along side the building onto a loading bay. No service yard is proposed. The car park is laid out to the front and side of the store (north and west) and will provide 70 no. car parking spaces with 4 motorcycle spaces, 7 disabled spaces and 4 parent and child spaces. Pedestrian access would be provided through the car park to the side of the Heritage Arcade and adjacent to the employment office adjacent to the bus interchange.
- 7.6.2 The parking standards require that in towns such as Rawtenstall, car parking be provided for food retail development at the rate of one space per 15 square metres gross floor area with one in every ten spaces being a mobility space. They also require that provision be made for bicycles and motorcycles at the respective rates of one space per ten and one space per twenty five of the car parking spaces provided.
- 7.6.3 This provision is reflected in the advice from LCC Planning. Moreover, the amount of car parking provision to be provided is within the maximum standard set out in LCC's Car Parking Standards SPG.
- 7.6.4 HGV's would use Markcross Street to enter the site. The applicant has provided swept path analysis demonstrating that a HGV can enter the site, unload and leave in a forward gear. In order to safeguard highway safety the applicant has indicated that when unloading the gate on Markcross Street would be closed before the HGV manoeuvres into the loading bay. County Highways have suggested a condition to ensure the safety of highway users entering the site. Moreover, I have attached a condition requiring the deliveries to be outside of opening hours.

- 7.6.5 The applicant has agreed to set aside a proportion of this site in the future to enable the redevelopment of the bus interchange. Whilst there are no formal plans at present for a new bus interchange the area of land would be sufficient to allow additional space to allow the design of a new bus interchange to evolve and would be secured by way of a legal agreement. This issue is discussed later in this report although the implications of any loss of car parking in the future would be subject to the assessment of a further planning application. However, it is clear that a site adjacent to a bus interchange is a sustainable location.
- 7.6.6 At this stage I am satisfied that the proposal accords with the requirements of the Structure Plan. Moreover, I have received no highway objection to the amendments. The Highway Authority are satisfied that the amendments demonstrate that servicing can now take place completely from within the site so that there will be no conflict with traffic on the adopted highway. In addition, the applicant has relayed to the highway authority that all deliveries would take place out of hours, again removing any possible affect on traffic in the area. LCC Highways consider that the Section 106 contributions would be required to contribute towards the Public Transport interchange and the associated pedestrian and other facilities that will be necessary. They also consider that this development provides additional parking which could aid visiting traffic from the east. I am advised that a legal agreement offering land for the purposes of a bus interchange would be sufficient to satisfy the obligation. However, £70,000 would be required to provide appropriate pedestrian crossing facilities.
- 7.6.7 LCC highways conclude by stating *“As a result we can confirm that we have no objections to the proposal and state again that Lancashire County Council fully supports the redevelopment of Rawtenstall Town Centre while it also has to consider the problems on the traffic network in the area.”*
- 7.6.8 Subject to the provision of conditions I have no highway objection to the scheme.

7.7 Residential Amenity

- 7.7.1 This proposal is bounded by a variety of uses given its town centre location. To the east of the site are a number of residential terrace properties beyond which is Ilex Mill which has been converted to residential provision. Residential provision is a key element within a successful and vibrant town centre. It is necessary to consider the living conditions of existing neighbouring residents when considering new uses adjacent to residential provision. However, in this particular case I am mindful of the existing use of the site and the hours that the use currently operates.
- 7.7.2 I am informed that the existing operation of the bus garage takes place between the hours of 05.30 and midnight. At present buses enter the garage from Markross Street and then exit the garage on to the road adjacent to the Heritage Arcade.

- 7.7.3 The servicing arrangements have been discussed earlier in this report (at paragraph 7.6.4) in relation to highway safety for both users of the highway and within the Lidl car park. The applicant has indicated that the scale of the store would usually require only one delivery per day which would take place from hours outside of the stores trading hours.
- 7.7.4 Whilst the application form indicates that the hours of use would be unrestricted the applicant has informed me that the proposed trading hours would be 08.00 until 20.00. The applicant has also informed me that, with regard to highway safety, he is willing to accept a condition requiring the delivery to take place outside of these hours.
- 7.7.5 The self contained service area within the store (adjacent to Markross Street) allows for servicing directly into the store via a servicing bay rather than an external service yard. No outside storage is included.
- 7.7.6 The neighbouring residents have their gables facing Markross Street. The main aspects to these residents is forward and backwards. There are no main habitable windows that face the existing garage or the proposed servicing area. As stated earlier, LCC Highways, have no objection in highway terms and I am satisfied that the likely use of the site, with access from Markross Street, would not result in a detrimental impact upon residential amenity when considered against the provision of the existing use in terms of cars entering and leaving the site or from HGV's delivering to the store.
- 7.7.7 Moreover, the Interim Environmental Services Manager has assessed the proposals and has no objection subject to the conditions which provide details on lighting, delivery hours and details of any condensers/chiller units.
- 7.7.8 I have attached conditions in relation to these issues and as such I am satisfied that the proposal would accord with the advice contained in PPG24 and provide existing residents with an acceptable level of amenity.

7.8 Planning Obligations

- 7.8.1 Rossendale Borough Council have approved a Planning Obligations Policy Paper prepared by Lancashire County Council.
- 7.8.2 Whilst the document is not a formal supplementary planning document (SPD) under the Planning and Compulsory Purchase Act 2004, it is still a material consideration as the policy has been approved by this Council.
- 7.8.3 The aims of this guidance are to:
- Provide a clear framework for local planning authorities preparing LDF policies and developing a plan-led approach;
 - Provide a systematic basis for officers negotiating Section 106 Planning Agreements; and
 - Give specific advice to developers on when contributions will be requirement and how they will be calculated

7.8.4 In their response to the application consultation County Planning have suggested an appropriate obligation in relation to the development proposed as set out in the recently approved planning obligations policy.

7.8.5 However, the applicant has offered to donate land adjacent to the existing bus stands and the employment offices to assist the possibility of building a new bus station. The applicants letter states:

“In order to satisfy our section 106 contribution upon granting of the application, Lidl will donate a proportion of land (edged in red) [effectively an ‘L’ shape piece which wraps around the employment office] to safeguard and enable the future upgrade of the bus interchange (edged in green) by Lancashire County Council.”

7.8.6 Clearly, the Structure Plan (policy 10) seeks the provision of a new bus interchange in Ratwtinstall and the emerging AAP identifies the site of the existing facility as an appropriate position for a new facility. I am informed by LCC Highways that the depth of the current bus stands is insufficient to provide new facilities. Whilst a new bus interchange has not been formally designed LCC Highways have confirmed that the land which the applicant is willing to donate to be sufficient to safeguard the ability to provide a new bus interchange in the future. I consider that the land would also enable new bus interchange to be brought forward which will have significant benefit to the accessibility of the Borough.

7.8.7 The area of land which would be given over for the purposes of a new bus interchange would result in the loss of 28 number of cars based on the current car parking layout. Clearly, the loss of car parking spaces associated to this proposal would have to be considered during consideration of a new bus interchange where the loss of car parking would have to be carefully considered against the provision of an improved sustainable public transport facility.

7.8.8 The heads of terms therefore which would form the basis of the legal agreement would include:

- S278 works footpath works adjacent to the proposal on Markcross Street £6K
- S38 works for footpath work to Markcross Street and access works £70k
- Free Car Parking provision for short stay
- Travel Plan
- Transfer of land to LCC for the purposes of a bus interchange only
- Public access to the riverside walkway
- CCTV £20k

7.8.9 Therefore, subject to a legal agreement to secure the area of land adjacent to the current bus stands, I am satisfied that the aspirations of the emerging AAP would safeguarded and, subject to a further planning application in the future, I am satisfied that this proposal would not fetter the ability to bring forward a new bus interchange.

7.9 Flood Risk

- 7.9.1 The applicant has submitted a flood risk assessment (FRA) in accordance with the requirements of PPG25. The applicants flood risk consultants acknowledge the following: *“It has to be noted that, in accordance with the Client’s requirements, Gifford [consultant] have not been in consultation with either the Environment Agency (EA), United Utilities or the Local Planning Authority.”*
- 7.9.2 The Environment Agency do not consider that the submitted FRA is sufficient to demonstrate that the development would not be unduly effected by the risk of flooding. Whilst they provide detailed comments they state that; *“The Flood Risk Assessment (FRA) undertaken by Gifford, and dated 27 October 2007, notes that no consultation with the Environment Agency has taken place regarding flood risk from the River Irwell. Until this has been carried out, the FRA is incomplete.”*
- 7.9.3 Given the above I consider that approving the proposals at this stage would be contrary to the advice containing in PPG25 and the advice of the Environment Agency. Moreover, Circular 04/2006 The Town and Country Planning (Flooding) (England) Direction 2007 provides further advice on this matter. The advice confirms that should members be ‘minded to approve’ the LPA would have to notify the Secretary of State.
- 7.9.4 However, the applicant has been liaising closely with the EA and is it likely that the EA will be in a position to be able to withdraw their objection prior to the committee meeting. I will update members of the position prior to committee.

7.10 Public Involvement

- 7.10.1 In accordance with the Council’s Statement of Community Involvement, Lidl held a public exhibition on 07.12.07 at the Longholme Methodist Church in Rawtenstall. The public were able to view the plans between the hours of 12.00 and 16.00 and Lidl representatives were present to discuss the plans and answer any questions. Approximately 200 people attended the exhibition. A further public exhibition (29.02.08 also held at the Longholme Methodist Church in Rawtenstall) has been held where the public have been able to view and discuss the updated plans with Lidl representatives.

7.11 Other issues

Bats

- 7.11.1 The applicant has submitted a preliminary bat survey. However, given the time of year that the survey was undertaken, the author of the report advises that whilst there was no evidence found of bats, the survey cannot be considered entirely conclusive. Therefore, the survey concludes that should planning permission be granted a condition be attached to the decision which requires a full bat survey being undertaken prior to the commencement of development at the appropriate time. I have attached a condition to this end and consider that it accords with the advice provided by Natural England.

Added Value

- 7.11.2 Whilst I am satisfied that the proposal accords with the policies highlighted within this report, I consider that land swap (obligations etc) to have benefit in the delivery of a new bus interchange. Such a new facility is supported by the Structure Plan and is identified as a major development project within the emerging AAP. Moreover the applicant has also agreed to contribute £15,000 towards the provision of CCTV within the Town Centre. I would consider that the CCTV should include in the first instance the public areas to within this scheme would contribute in particular the riverside access and car park.

Rossendale Employment Land Study

- 7.11.3 The bus depot site is part of a wider Employment Area, as designated under Policy J3 of the Rossendale District Local Plan. This local plan policy has not, however, been saved under the Saved Policies Document.
- 7.11.4 King Sturge in their "Employment Land Study" (May 2007) identifies this designated "edge of Rawtenstall town centre" site of approximately 2ha of land around the bus depot / station between Bacup Rd and Bocholt Way as "best suited to redevelopment with office premises as part of a mixed use scheme". They conclude "This concurs with the Rawtenstall Town Centre area action plan which includes mixed use development of this site including office uses". Given that King Sturge are considering the whole wider site, and not just this application site, it is not considered that this retail proposal is contrary to the findings of their report as other uses could also be provided on the overall site.

8. HUMAN RIGHTS

- 8.1 The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

9. CONCLUSION

- 9.1 I am satisfied that the proposal would result in a positive impact upon the town centre. I am satisfied that the design of the scheme to be appropriate in this instance and the proposals are in accordance with the aspirations of the emerging AAP and maintain sufficient land to bring forward a new bus interchange in the future. I am also satisfied that the level of on site parking is acceptable and that the development and that the application complies with policies of the development plan as a whole. I do not consider that there are any other material considerations which outweigh this view.

10. RECOMMENDATION

That planning permission be granted subject to the following planning conditions and that:

- I. The Head of Democratic and Legal Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the repayment of £70,000 to the Council for the transport initiatives and £15,000 for CCTV, a travel plan, public access to the riverside walkway, free car parking provision for a period of 3 hours and that a proportion of land be transferred to LCC for the provision of a new bus interchange
- II. That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such legal agreement;
- III. That authority be given for the decision notice relating to the application be issued, (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement,
- IV. That authority be given to refuse the application if the applicant fails to complete the S106 agreement within a reasonable period on the grounds that the proposals do not support the aim and objectives of PPS1 Delivering Sustainable Development.

11. REASONS FOR APPROVAL

- 11.1 The decision to grant planning permission has been taken having regard to the policies and proposals in Regional Spatial Strategy, Joint Lancashire Structure Plan 2001-2016 and the Rossendale District Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance. There are no other material planning considerations that outweigh this finding:

Rossendale District Local Plan (Adopted 1995)

DS1	-	Urban Boundary
E12	-	Noise Attenuation
HP1	-	Conservation Areas
DC1	-	Development Control

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1	-	General Policy
Policy 2	-	Main Development Locations
Policy 7	-	Parking
Policy 16	-	Retail, Entertainment & Leisure Development
Policy 21	-	Lancashire's Natural & Man-Made Heritage

Other Material Planning Considerations

PPS6	-	Town Centres
PPG13	-	Transport
PPS23	-	Planning and Pollution Control
PPG24	-	Noise
PPS25	-	Flood Risk

12 Conditions

- 1 The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason: *The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).*
2. The hours of demolition for the existing buildings on site to be removed and the hours for the construction of the development hereby approved shall be limited to 07:00 to 19:00 Monday to Friday and 8am-1pm Saturdays. Demolition or construction work shall carried out at no other time.
Reason: *In the interests of the residential amenities of the occupiers of adjoining properties*
3. No development authorised by this permission shall take place unless and until the local planning authority has received and approved in writing a site operating statement in relation to provision of method of demolition, construction, permitted hours for construction works, delivery of materials and delivery and collection of equipment, provision and use of on-site parking for contractors' and workpeople's vehicles, wheelwashing facilities, street sweeping and no development or activities related or incidental thereto shall take place on the site in contravention of such site operating statement.
Reason: *In order to safeguard highway safety in accordance with policy DC1 of the Rossendale District Local Plan.*
- 4 Prior to the commencement of development on site, the applicant shall submit to the Local Planning Authority for their approval, details of location and acoustic properties of condensers/chiller units. The approved scheme shall be implemented prior to the units first being occupied and shall thereafter be maintained.
Reason: *In the interests of visual and residential amenity pursuant to policy DC1 of the Rossendale District Local Plan.*
- 5 The use of the retail sales hereby approved shall only be permitted between the hours of 08:00 and 20:00 on any day
Reason: *In the interests of the residential amenities of the occupiers of adjoining properties*
- 6 Prior to the commencement of development on site, the applicant shall submit to the Local Planning Authority for their approval, a scheme for the delivery of goods to the store. The scheme shall include the hours of delivery and a management plan to safeguard pedestrian safety including details of the gate access onto Markcross Street. The development shall be carried out at all times in accordance within the approved scheme unless otherwise approved in writing by the Local Planning Authority.
Reason: *In order to safeguard highway safety in accordance with policy DC1 of the Rossendale District Local Plan.*
- 7 Notwithstanding the information on the submitted plans and prior to the commencement of demolition on site, the applicant shall submit to the Local

Planning Authority for their approval, a scheme detailing the re-use of natural stone sourced from the existing building and where those materials will be re-used along with samples of natural stone for the remaining external elevations and slate for the roof. The development shall be carried out in accordance with the approved scheme and approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to accord with Policy DC1 of the adopted Rossendale District Local Plan.*

- 8 No part of this development shall be occupied unless and until its associated car parking/servicing provision has been completed and available for use. The car parking provision shall be retained and kept available for use as such unless otherwise agreed in writing by the Local Planning Authority

Reason: *To ensure the provision of adequate off street parking/servicing in accordance with PPS6, PPG13, Policy 1 of the adopted Joint Lancashire Structure Plan and Policies DC1, T4 and T7 of the Rossendale District Local Plan.*

- 9 Prior to the commencement of development a scheme detailing external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Such scheme as is approved shall be implemented in full prior to first use of the development unless otherwise agreed in writing by the Local Planning Authority

Reason: *To safeguard the amenity of the area and Conservation Area in accordance with policies HP.1 and DC1 of the Rossendale Local Plan.*

- 10 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include details of all existing trees and hedgerows on/bounding the site, detail any to be retained and the measures for their protection in the course of development, together with details of the planting to be provided. All planting, seeding and turfing proposed in the approved details of landscaping shall be carried out in the first planting and seeding seasons following completion of the building, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and to accord with Policy DC1 of the adopted Rossendale District Local Plan*

- 11 Prior to the commencement of demolition on site, the buildings to be demolished shall be re-surveyed for the presence of bats, owls or other protected species and recommendations for mitigation measures made by a suitably qualified person, the identity of whom has been agreed in writing by the Local Planning Authority. The survey shall be submitted to and agreed by the Local Planning Authority prior to the commencement of development on site and any mitigation measures shall be carried out prior to and during construction. If bats, owls or other protected species are found within the buildings to be demolished, an application for a Licence should be made to the

Department of the Environment, Food and Rural Affairs for the demolition to occur shall be made and the procedures agreed within that application by DEFRA shall be implemented if the demolition of the building is permitted.

Reason: *In order to ensure that no harm is caused to a Protected Species in accordance with the Wildlife and Countryside Act 1981.*

12 No development approved by this permission shall be commenced until:

- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site.
- c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.
- d) A Method Statement and remediation strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

A completion Report shall be submitted to the Local Planning Authority detailing the conclusions and actions taken at each stage of the works (to include validation works).

Reason: *To ensure the site is properly remediated and any risk to human health and controlled waters is minimised in accordance with Policy DC1 of the Rossendale District Local Plan.*

13 The development shall be carried out in accordance with the following plans unless otherwise agreed in writing by the Local Planning Authority:

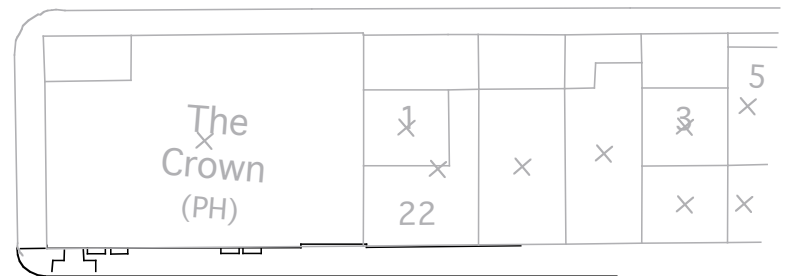
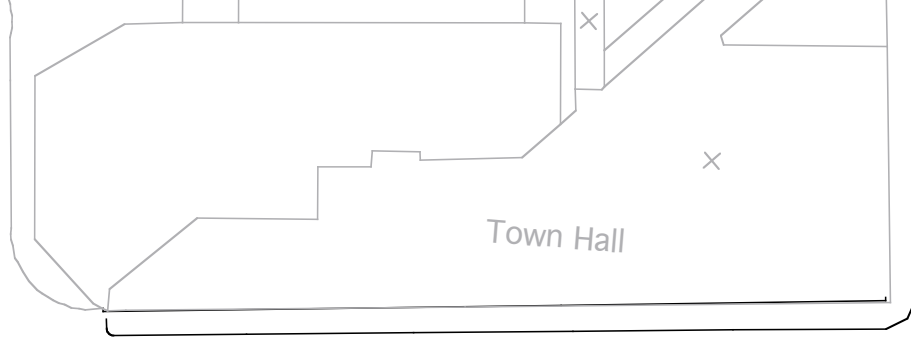
0720 L(90) 301
0720 L(90) 302 A
0720 L(90) 303 A
0720 L(90) 304 A
0720 L(90) 304 A

Reason: *For the avoidance of doubt*

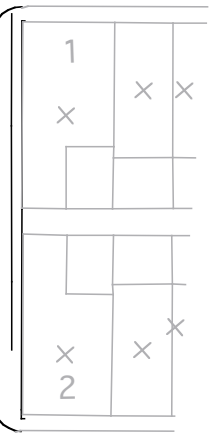
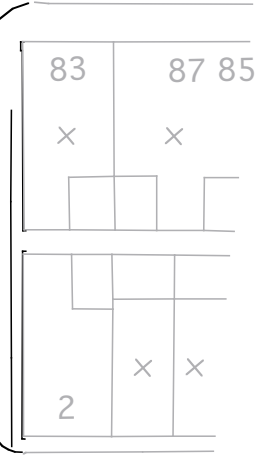
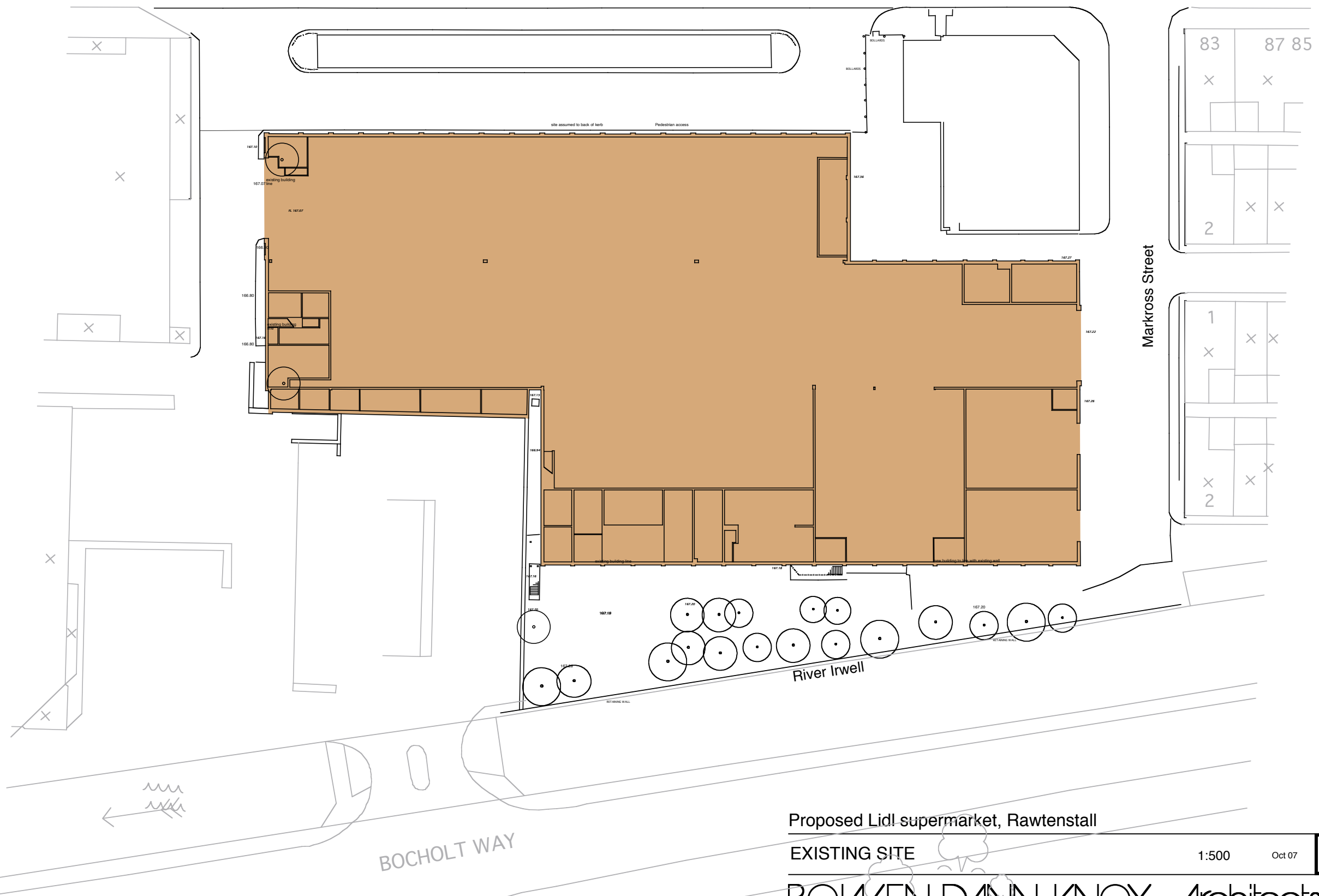
Informatives

- 1 The applicant is advised that the requirements of all the conditions precedent must be satisfied prior to the commencement of the development. Failure to satisfy the conditions precedent renders all development unauthorised and unlawful and appropriate action may be taken by the Council.

Contact Officer	
Name	Stephen Stray
Position	Planning Manager
Service / Team	Development Control
Telephone	01706 252420
Email address	stephenstray@rossendalebc.gov.uk



Bacup Road



Markcross Street

Proposed Lidl supermarket, Rawtenstall

Lidl UK GmbH

EXISTING SITE

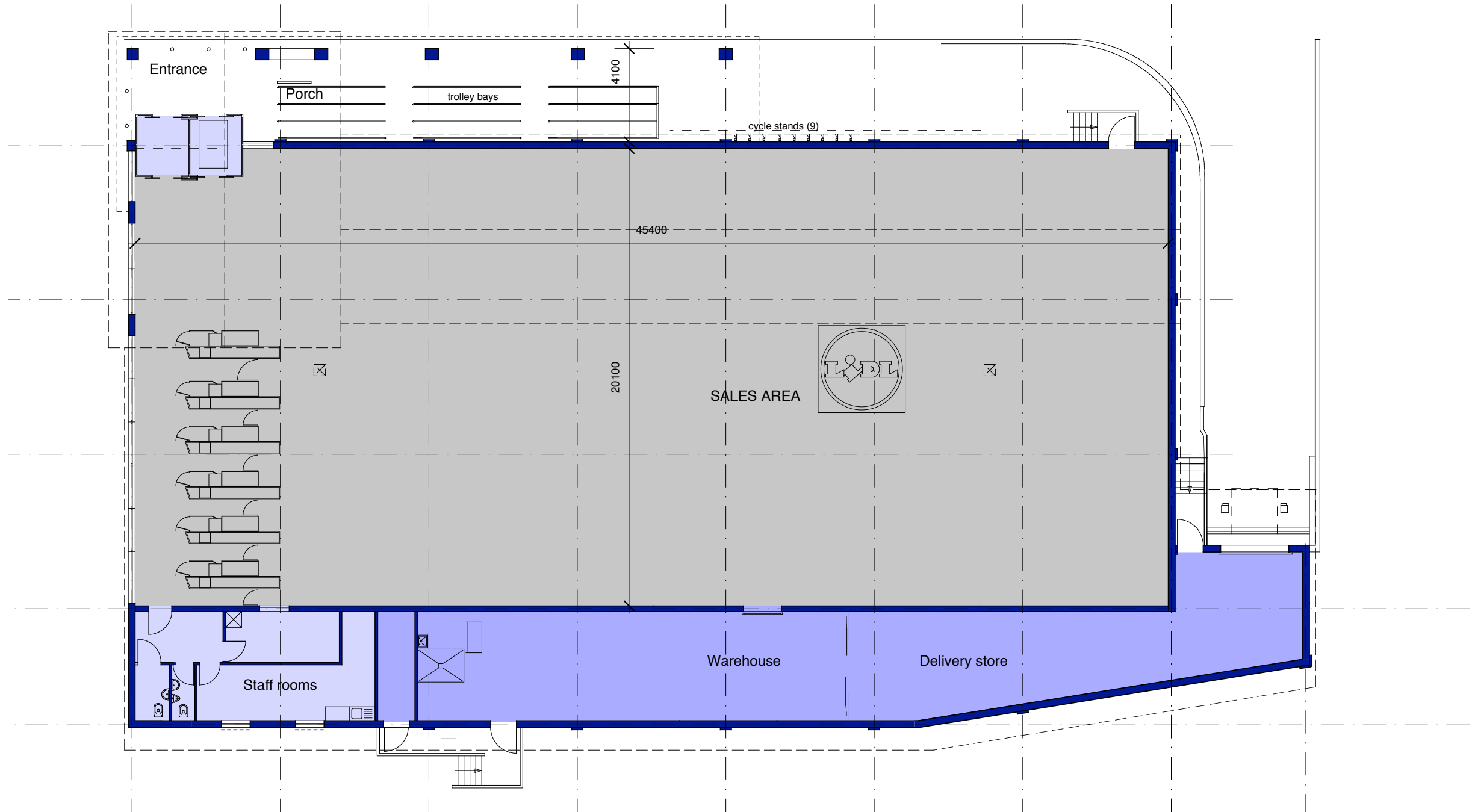
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Oct 07

0720 L(90) 301

BOWEN DANN KNOX Architects

colwyn bay 01492 533136
fax 01492 530881



rev. A : 18.02.08 : floor level raised 1.21m

Proposed Lidl supermarket, Rawtenstall

Lidl UK GmbH

PROPOSED PLAN

1:200

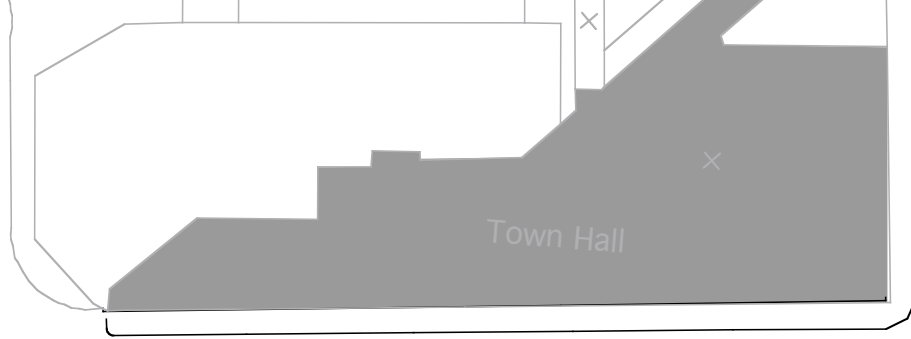
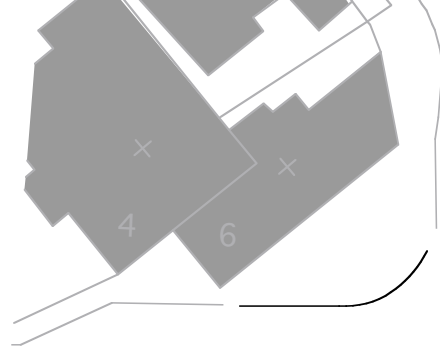
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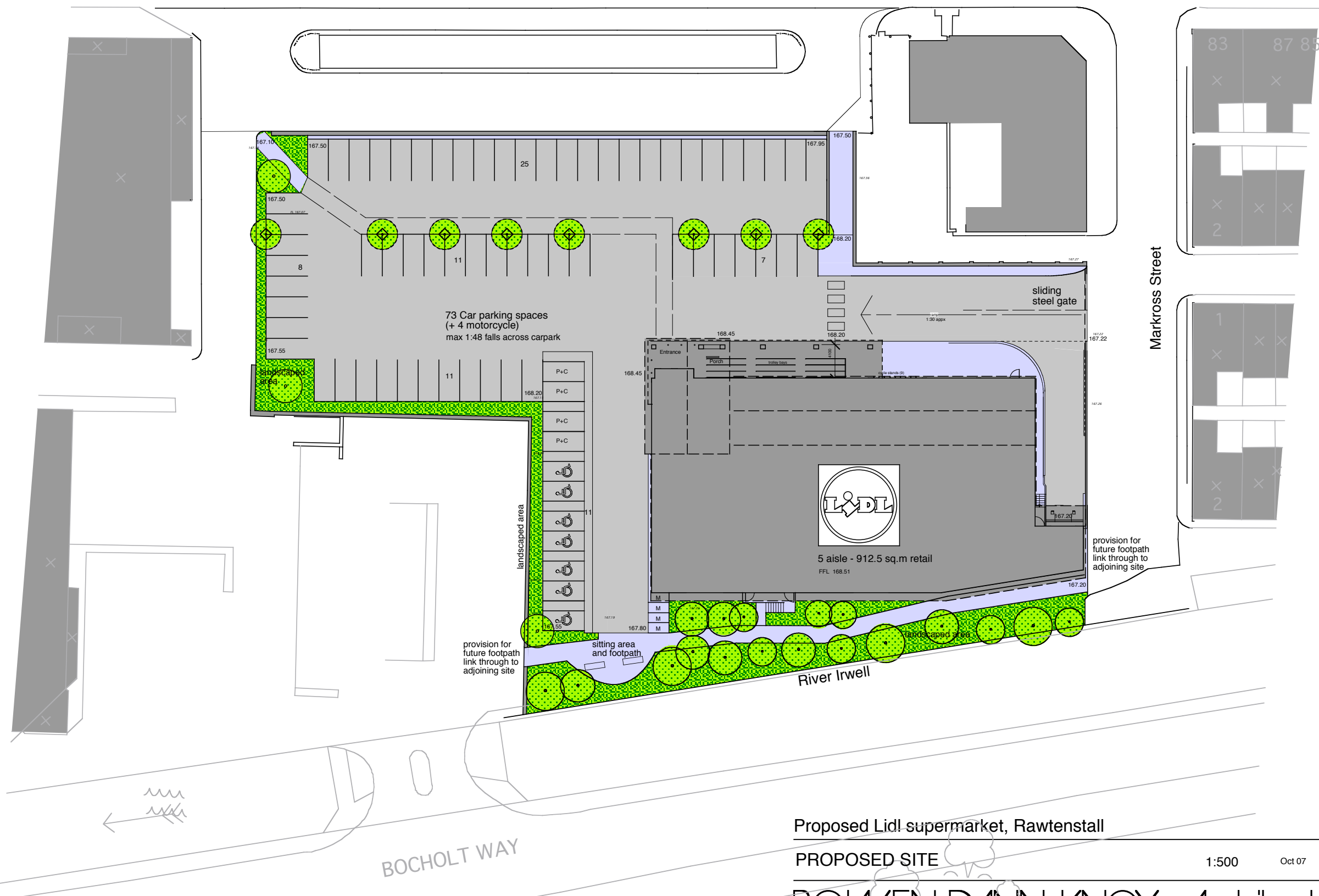
BOWEN DANN KNOX Architects

colwyn bay 01492 533136
fax 01492 530881

N
WE
S



Bacup Road



Markcross Street

BOCHOLT WAY

Proposed Lidl supermarket, Rawtenstall

PROPOSED SITE

BOWEN DANN KNOX Architects

rev. A : 18.02.08 : FFL raised 1.21m

Lidl UK GmbH

1:500

Oct 07

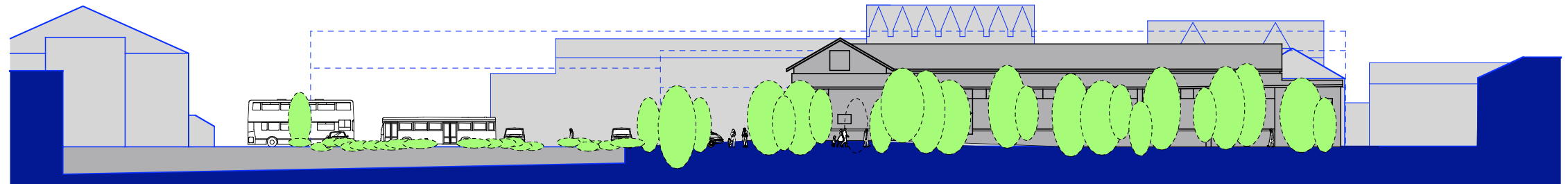
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colwyn bay 01492 533136
fax 01492 530881

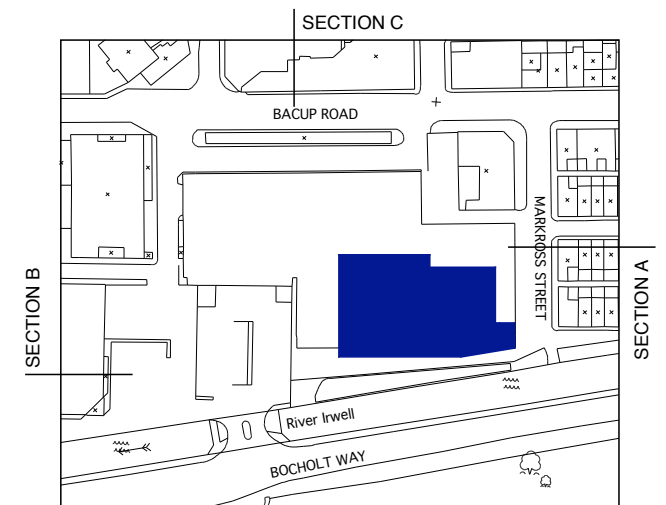
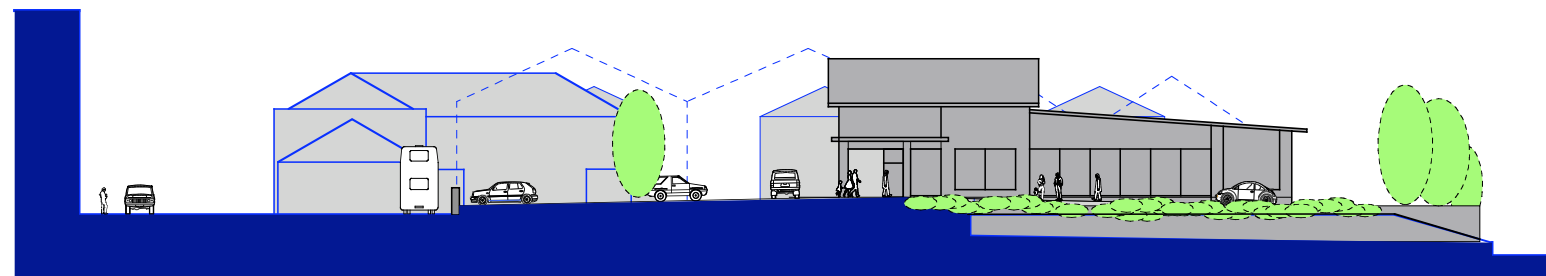
PROPOSED SITE - SECTION A
 (broken blue line is existing bus depot building)



PROPOSED SITE - SECTION B



PROPOSED SITE - SECTION C



Proposed Lidl supermarket, Rawtenstall

rev. A : 18.02.08 :FFL raised 1.21m

PROPOSED SITE - SECTIONS

1:500

Oct 07

Lidl UK GmbH

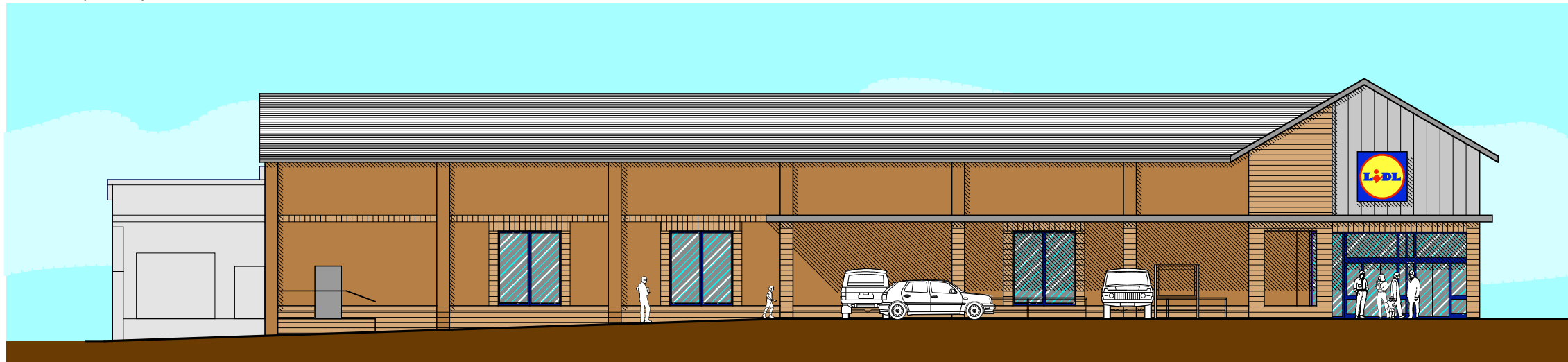
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BOWEN DANN KNOX Architects

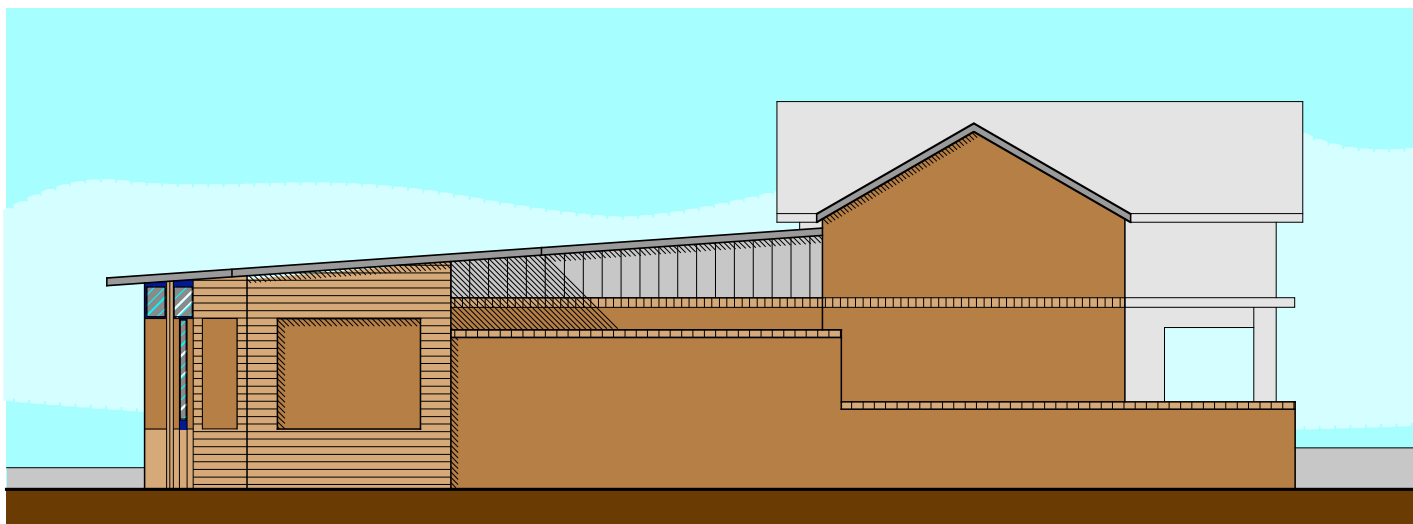
colwyn bay 01492 533136
 fax 01492 530881



REAR (south)



FRONT (north)



SIDE (east)



SIDE (west)

- Roof 30° Single lap artificial slate (Lafarge, cambrian range)
Dark grey standing seem shallow roof to rear.
All with weathered zinc fascias, gutters, downpipes.
- Gables Sheet zinc with standing seams @ 500c/s
- Walls Existing stone recovered for re-use for split face stone panels, also pillars at front. False windows in panels where openings not shown on plans.
Reconstituted ashlar stone pillars and plinth elsewhere.
- Windows + doors Dark blue colourcoated glazed aluminium frames
Steel doors, pillars and frames painted grey

Proposed Lidl supermarket, Rawtenstall

PROPOSED ELEVATIONS

1:200

Oct 07

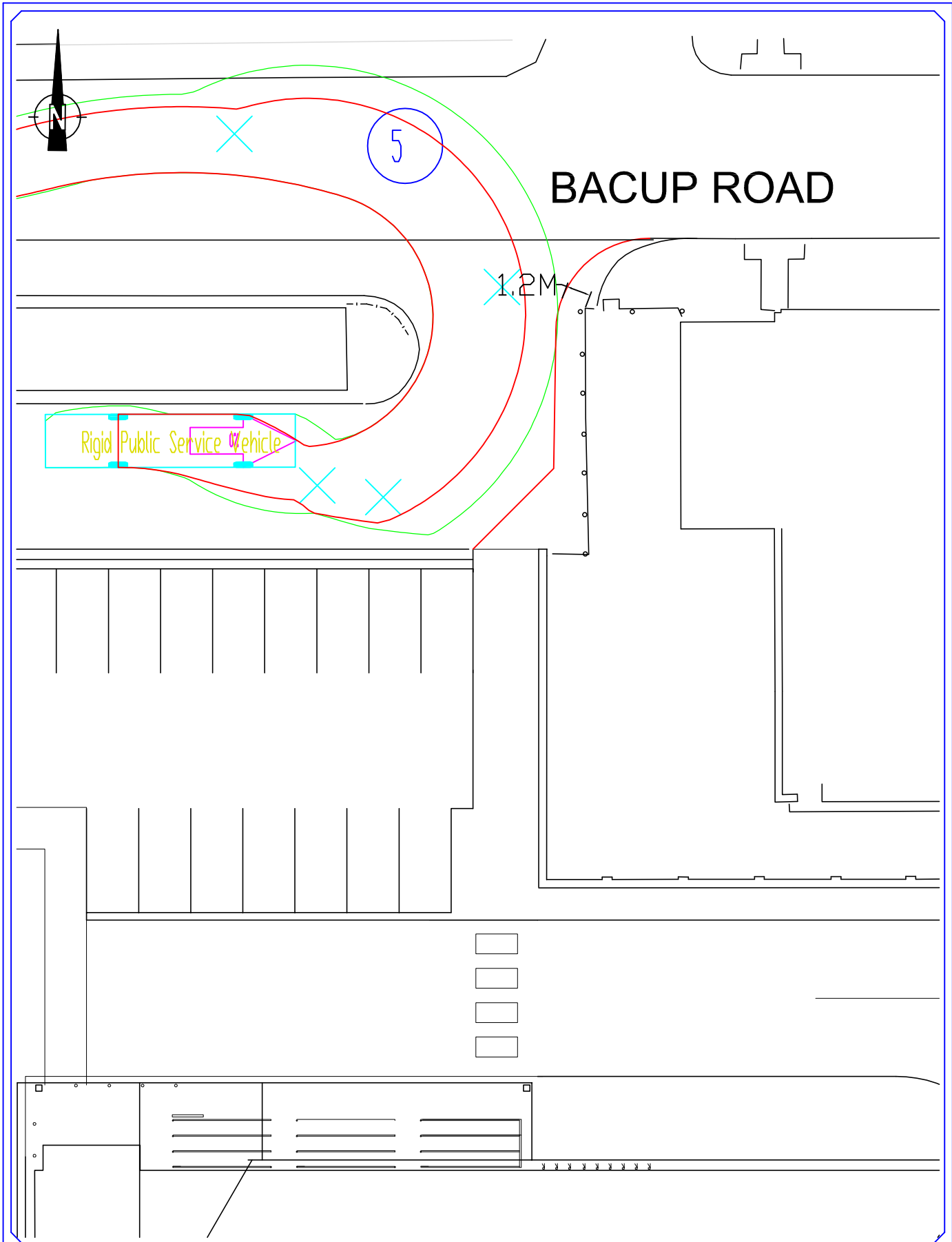
rev. A : 18.02.08 : floor level raised 1.21m

Lidl UK GmbH

0720 L(90) 304 A

BOWEN DANN KNOX Architects

colwyn bay 01492 533136
fax 01492 530881



Notes

Drawing Title
PROPOSED LIDL, RAWTENSTALL - PEDESTRIAN ROUTE TO BACUP ROAD

Singleton Clamp
 & PARTNERS
 Consulting Engineers and Transportation Planners
 2 Mount Street, Albert Square, Manchester, M2 5WQ.
 Tel 0161-832-4400, Email Consult@SingletonClamp.co.uk

Drawing No. **SCP 3**

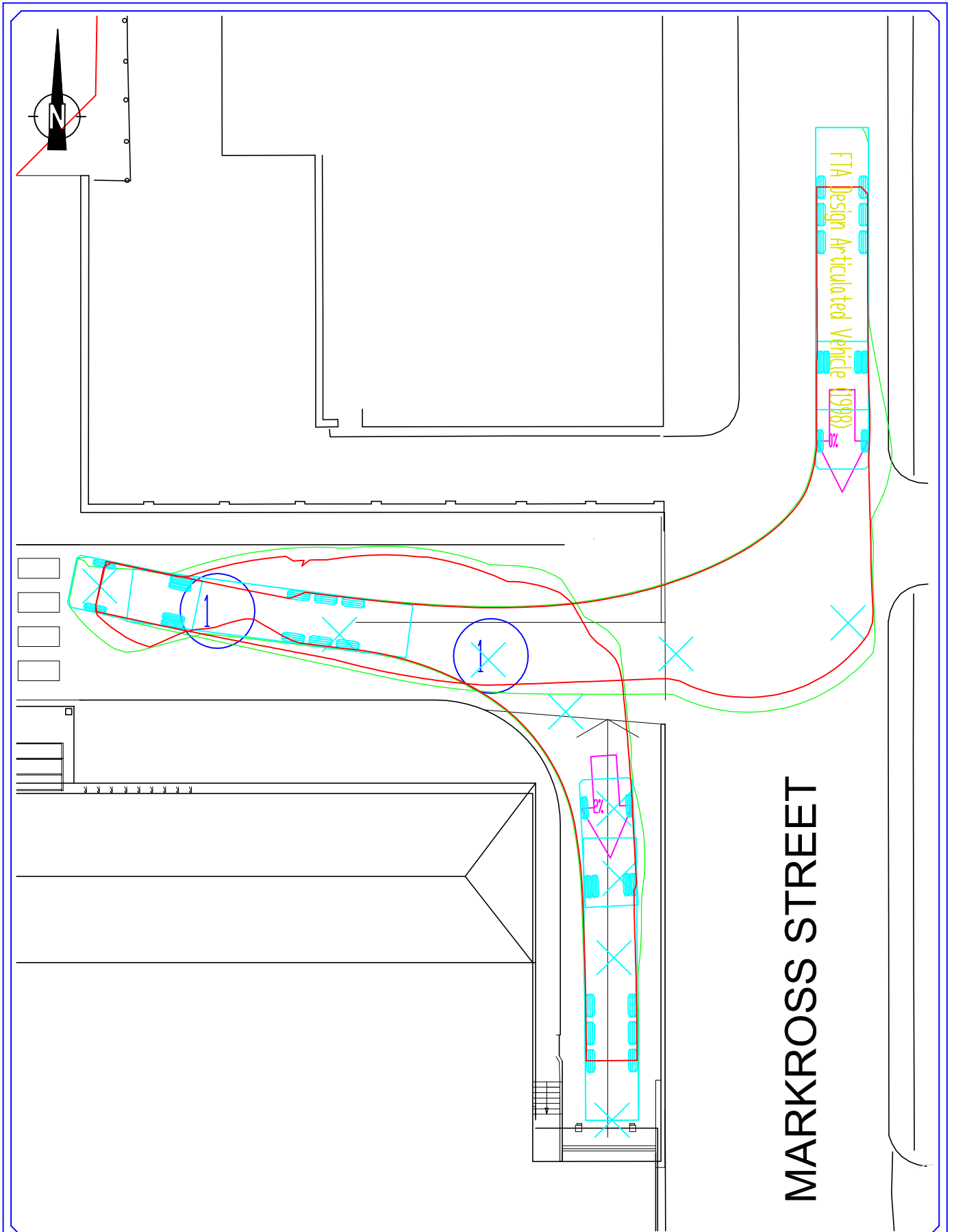
Job Title **LIDL, RAWTENSTALL**

Scale **1:250 @ A4**

Date **FEB 14TH 2008**

Drawn By **JRB**

Job No **07156**



MARKROSS STREET

Notes

Drawing Title
PROPOSED LIDL, RAWTENSTALL - ARTICULATED SWEEP PATH - IN

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Drawing No. **SCP 1**

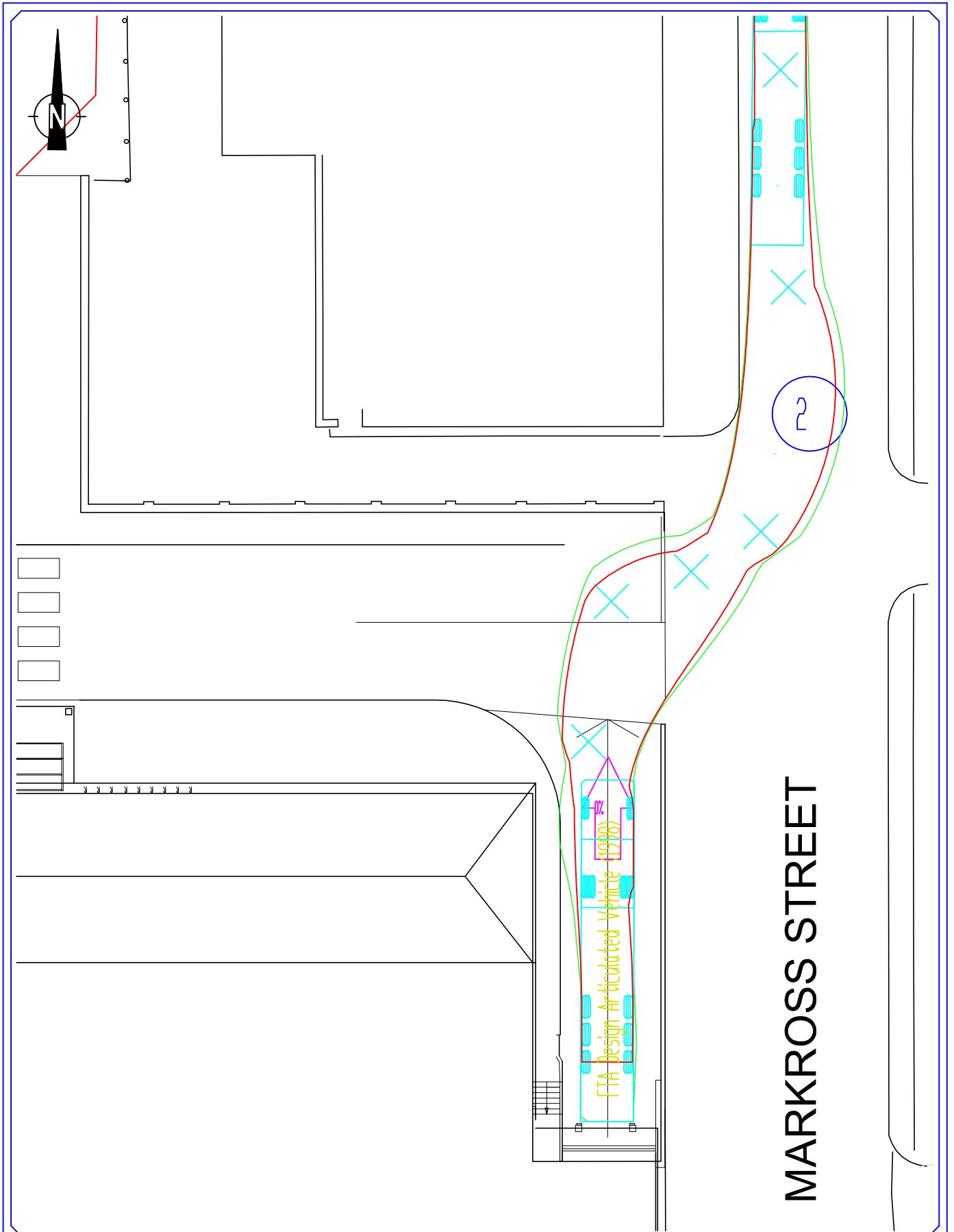
Job Title **LIDL, RAWTENSTALL**

Scale **1:250 @ A4**

Date **FEB 14TH 2008**

Drawn By **JRB**

Job No **07156**



MARKROSS STREET

FTA Design Articulated Vehicle (1998)

Notes

Drawing Title
PROPOSED LIDL, RAWTENSTALL - ARTICULATED SWEPT PATH - OUT

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Drawing No. **SCP 2**

Job Title **LIDL, RAWTENSTALL**

Scale **1:250 @ A4**

Date **FEB 14TH 2008**

Drawn By **JRB**

Job No **07156**



